

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG**

**JASON DENT,**

Petitioner,

v.

**CIVIL ACTION NO.: 3:21-CV-174  
(GROH)**

**WARDEN HUDGINS,**

Respondent.

**ORDER DISMISSING CASE WITHOUT PREJUDICE**

On November 1, 2021, the Petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. ECF No. 1. On January 4, 2022, the Respondent filed a motion for a more definite statement regarding the specific disciplinary proceeding being contested by the Petitioner. ECF No. 15. On March 4, 2022, the Petitioner filed a response to the motion for a more definite statement, which response consisted of thirteen exhibits without any pleading that explained the significance of those exhibits. ECF Nos. 25, 25-1 through 25-13.

Two of the Petitioner's exhibits are Regional Administrative Remedy Appeals executed by the Petitioner on December 29, 2021. ECF Nos. 25-1, 25-2. The first of the Regional Administrative Remedy Appeals asserts that a Special Housing Unit (SHU) officer turned off the Petitioner's shower on December 19, 2021. ECF No. 25-1. The second asserts that the Petitioner was not provided adequate sanitary products on November 26, 2021. ECF No. 25-2. Both of those events were alleged to have occurred

after Petitioner filed the instant action, and could not have served as the basis for the Petitioner's claims.

On June 13, 2022, the Court ordered the Petitioner to show cause as to why this matter should not be dismissed within thirty (30) days for failure to prosecute. ECF No. 29. Service for the Order to Show Cause was accepted on June 16, 2022. ECF No. 30.

More than thirty days have elapsed and the Petitioner has not filed a response to the Order to Show Cause as directed.

Accordingly, it is **ORDERED** that 3:21-CV-174 is hereby **DISMISSED WITHOUT PREJUDICE** for failure to prosecute and retired from the docket of this Court.

The Clerk of the Court is **DIRECTED** to mail a copy of this Order to Petitioner by certified mail, return receipt requested, to her last known address as reflected on the docket sheet.

**DATED:** July 28, 2022



GINA M. GROH  
UNITED STATES DISTRICT JUDGE